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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAELA MARICH, an individual; <div style="text-align: center;">Plaintiff,</div>	}	Case No.: 2:23-CV-1737-RFB-EJY JOINT DISCOVERY PLAN AND [PROPOSED] SCHEDULING ORDER
vs.	}	
JERRY BROWN, an individual; MATCH GROUP INC. dba Tinder, a Texas Corporation; BLOCK, INC. dba CashApp, a Delaware Corporation; PAYPAL INC. dba Venmo, a Delaware Corporation; DOES I-X; and ROE CORPORATIONS I-X; inclusive, jointly and severally,	}	SPECIAL SCHEDULING REVIEW REQUESTED
<div style="text-align: center;">Defendants.</div>	}	

The appearing parties in this action hereby submit this Discovery Plan and [Proposed] Scheduling Order pursuant to FRCP 26(f)(3) and LR 26-1(e):

1. PROCEDURAL HISTORY

On September 18, 2023, Plaintiff filed her Complaint with Jury Demand against Defendants. On October 25, 2023, Defendant MATCH GROUP INC. filed a Notice of Removal based on diversity jurisdiction which brought the present action into this Court and was unopposed by Plaintiff. [ECF No. 1]. On October 27, 2023, Defendant PAYPAL INC. filed a Joinder to the removal. [ECF No. 5]. On November 6, 2023, Defendant BLOCK, INC. filed its

1 Answer to Complaint. [ECF No. 9]. On November 15, 2023, Defendant MATCH GROUP INC.
2 filed a Motion to Compel Arbitration and Dismiss. [ECF No. 13]. On November 22, 2023,
3 Defendant BLOCK, INC. filed a Motion to Compel Arbitration. [ECF No. 14]. On November
4 29, 2023, Plaintiff filed her Response to Defendant MATCH GROUP INC.'s Motion to Compel.
5 These motions are currently pending before the Court.

6 Plaintiff and Defendant PAYPAL INC. have settled the claims between them and are
7 finalizing documents. These two parties anticipate filing a voluntary dismissal pursuant to FRCP
8 41 as to those claims against Defendant PAYPAL INC, and have agreed to an extension for time
9 to answer the Complaint based on the expectation that no answer will be needed.

10 **2. RULE 26(f) CONFERENCE**

11 The Rule 26(f) conference was held over video call on December 5, 2023. Appearing
12 were Russell Boyd, Esq., counsel for the Plaintiff, Adam Knecht, Esq., counsel for Defendant
13 MATCH GROUP INC., Alina Shell, Esq., counsel for Defendant BLOCK, INC., and Erik Foley,
14 counsel for Defendant PAYPAL INC.

15 **3. RULE 26(a)(1) DISCLOSURES**

16 The parties have agreed to serve their respective Initial Disclosures within 14 days of
17 their Rule 26(f) Conference.

18 **4. DISCOVERY SCOPE AND LIMITS**

19 The parties may conduct discovery on all issues, claims and defenses raised by the
20 pleadings filed in this matter, and any other matters reasonably calculated to lead to the discovery
21 of admissible evidence, including discovery regarding the subjects of liability, causation, and
22 damages. The presumptive limits of 10 depositions and 25 interrogatories per side are
23 appropriate. The parties agree that at this time discovery does not need to be conducted in phases
24 or otherwise limited or focused.

1 **5. ORDERS THAT THE COURT SHOULD ISSUE**

2 There are no orders that the Court should issue under FRCP 26(c), FRCP 26(b), or FRCP
3 16(c) at this time.

4 **6. DISCOVERY OF ELECTRONICALLY STORED INFORMATION**

5 No issues regarding electronically stored information have been identified at this time.

6 **7. ISSUES CONCERNING HANDLING CLAIMS OF PRIVILEGE**

7 The parties anticipate the defendants will seek a protective order for documents obtained
8 during discovery, and that Plaintiff will stipulate to same.

9 **8. DISCOVERY SCHEDULE**

10 The parties propose the following discovery schedule.

11 **A. Deadline for Amending Pleadings/Adding Parties: February 15, 2024.**

12 **B. Expert Disclosures:** The parties shall disclose all expert witnesses and reports required
13 by Rule 26(a)(2) no later than **March 15, 2024**. The parties shall disclose all rebuttal expert wit-
14 nesses and reports no later than **April 15, 2024**.

15 ~~**C. Interim Status Reports: The parties shall file the interim status report required by**~~
16 ~~**LR 26-3 no later than March 15, 2024.**~~

17 **D. Discovery Cut-Off:** The parties shall complete all discovery before **June 14, 2024**.

18 **E. Dispositive Motions:** Dispositive Motions shall be filed no later than **July 15,**
19 **2024.**

20 **F. Joint Pretrial Order:** The Joint Pretrial Order shall be filed no later than **August**
21 **15, 2024** in the event no dispositive motions are filed. In the event dispositive motions are filed,
22 the Joint Pretrial Order shall be filed thirty days after the Court's decision on such motion(s).

23 **G. Rule 26(a)(3) Disclosures:** The parties shall make all disclosures required by
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Rule 26(a)(3) not later than thirty (30) days prior to trial, which shall be included, along with any objections thereto, in the Joint Pretrial Order.

H. Extensions or Modifications of the Discovery Plan and Scheduling Order:

All motions or stipulations to extend a deadline set forth in a discovery plan shall be received by the Court no later than twenty-one (21) days before the expiration of the subject deadline.

9. LATE APPEARING PARTIES

A copy of the discovery plan and scheduling order shall be served on any person after it is entered or, if any additional parties should appear, within five (5) days of their first appearance.

This discovery plan and scheduling order shall apply to such later-appearing parties, unless the Court, on motion and for good cause shown, orders otherwise.

10. TRIAL ESTIMATE

The parties estimate the trial in this case will last approximately 5-7 days.

11. STATEMENT OF REASONS FOR EXTENDED DISCOVERY

The parties are seeking to extend the close of discovery 191 days from the filing of this proposed Scheduling Order. Following discussions between the parties, it is clear that there are a large number of potential witnesses for both parties that reside in multiple state locations. Further, the parties are waiting for the pending Motions to Compel and/or Dismiss to be decided.

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Respectfully Submitted this December 6, 2023.

/s/ Russell Boyd
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BOYD LEGAL PLLC
Attorney for Plaintiff Marich

/s/ Alina Shell
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ARMSTRONG TEASDALE LLP
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/s/ Adam Knecht
ADAM KNECHT, ESQ.
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HALL & EVANS, LLC
Attorney for Defendant Match Group, Inc.

Pursuant to the foregoing, IT IS SO ORDERED.

DATED December 7, 2023.


U.S. MAGISTRATE JUDGE